

## REMARKS

In the above referenced Office Action the Examiner called applicant's attention to the fact that in claim 1, line 12, lacked antecedent basis for "said body" and "said end of train". This problem has been addressed and applicant thanks Examiner le for his helpful advice.

Next, the Examiner rejected Claims 1-3, 5-7, 11- 13 and 17-18 under 35 U.S.C. 103(a) as being unpatentable over Digitrax, pages 25-38 and 95-97 in view of Grapp (US 6,159,069), stating,

"Digitrax, page 96, section 7.13, describes a model railroad vehicle, similar to that recited in the instant claims, including a decoder for controlling lighting effects, as listed in Table 7-8, page 96 of Digitrax, which includes FRED (EDT device). Digitrax, page 28, Figures 3-4, shows right and left pick-ups that establish an electrical interconnection between the decoder and the multiple axles of the vehicle. It is noted that the decoder of Digitrax is a control system in an electronic circuit that controls the EDT device; wherein, the decoder being a portion of the electronic circuit is disposed on the locomotive base structure, which is then mounted on the vehicle's truck, as shown in Figure 3-4 of Digitrax; therefore, the decoder of Digitrax is readable as being disposed

at least on a truck, as claimed. It is noted that Digitrax does not specifically show the FRED (EDT device).

Grapp discloses an EDT device that is releasably secured to the end of a railway car.

In view of Grapp, it would have been obvious to one skilled in the art to use an EDT device, similar to that of Grapp, in Digitrax because Digitrax does not specifically show an EDT device.

Regarding the instant claimed "electronic circuit being disposed only on ...a combination of said truck and said body of said end of train", as recited in part (c) of instant claim 1, note that said combination is readable as including the truck and the body portion of the EOT device; and since said combination is not being restricted to consist of only the truck and the body portion, said combination is also readable to include other elements, such as the structure upon which the decoder of Figure 3-4 of Digitrax is mounted. Accordingly, the decoder (electronic circuit) of Digitrax is readable as being disposed "only on" said combination, as broadly claimed.

Regarding instant claim 2, note that the decoder of Digitrax is readable as being small enough such that it is capable of being mounted in the manner as claimed.

Regarding instant claim 3, consider Figures 3-4, page 28 of Digitrax.

Regarding instant claim 5, note that the decoder of Digitrax is readable as "surface mounted", as claimed.

Regarding the size of the circuit board, as recited in instant claim 6, it is not considered to be patentably significant because it would have been obvious to one skilled in the art to reduce the size of the electronic circuit of Digitrax as small as needed to save space.

Regarding the instant claimed control being in the form of analog, note that electrical signals in the forms of analog and digital are well known alternatives (Official Notice is taken), and it would have been obvious to one skilled in the art to alternatively use analog as the control signals in Digitrax so as to be compatible with other conventional analog devices.

Claims 4, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Stan Ames et al's guide to DCC, pages 29-30.

Digitrax is applied above.

Regarding the instant claimed components of the electronic circuit, as recited in instant claims 4, 8 and 10, note that the

instant claimed components are well known, note for example, section 3.2.1 Decoder Basics of Stan Ames's guide to DCC. Accordingly, it would have been obvious to one skilled in the art to include such well known components in the decoder of Digitrax for performing the expected functions thereof."

Independent claim 1 has now been amended to limit the positioning of the electronic circuit solely on the following combinations:

First, the electronic circuit can be disposed on a removable truck portion of such model railway vehicle;

Secondly, the electronic circuit can be disposed on a body portion of said EOT device; and

Third, the electronic circuit can be disposed on a combination of the removable truck portion of such model railway vehicle and at least one of said body of said EOT device and associated wiring between said removable truck portion of such model railway vehicle and said body portion of said EOT device for power conversion and light signal timing.

Clearly, since the truck and EOT device must be movable from one car to another such electronic circuit can not be installed on the body of the vehicle. Therefore, the Examiner is respectfully requested to withdraw his rejection of Claims 1-3, 5-7, 11-13 and 17-18 under 35 U.S.C. 103(a) as being

unpatentable over Digitrax, pages 25-38 and 95-97 in view of Grapp (US 6,159,069).

The Examiner further rejected Claim 9 under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Wolf (US 2003/0015626), stating,

"Regarding the instant claimed use of electrical filters, as recited in instant claim 9, it is note that electrical filters are well known to conditioning electrical currents in electrical circuits, note for example Figure 4A of Wolf. Accordingly, it would have been obvious to one skilled in the art to use electrical filters in the electrical circuit of Digitrax to perform the expected function thereof."

He rejected Claims 14-15 under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Miller (US 5,174,216), stating,

"Regarding the instant claimed device for activating a train accessory being in the form of a magnetic device or Hall effect device, as recited in instant claim 14-15, consider the Hall effect device 10 of Miller. In view of Miller, it would have been obvious to one skilled in the art to alternatively use a Hall effect device to activate an accessory of Oigitrax, i.e.

the light, in a manner similar to that taught by Miller, because such Hall effect device is reliable and easy to setup."

Further, the examiner rejected Claim 16 under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Young et al (US 2003/0155470), stating,

"Regarding the instant claimed light element being an LED, note that light elements in the form of LEOs are well known. Note for example, LED 46 of Young. Therefore, it would have been obvious to one skilled in the art to use a well known LED as the light element of Oigitrax so as to achieve the expected advantages thereof."

Finally, the Examiner rejected. Claims 19-20 under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Ireland (US 6,513,763), stating,


"As to the instant claimed electrical power being in the form of a battery, note that the use of a battery as an alternative power source is well known, note for example line 26, column 1 of Ireland. Therefore, it would have been obvious to one skilled in the art to use a battery as an alternative power source in the structure of Oigitrax so as to achieve

expected advantages thereof, e.g. batteries are safer than some other power sources."

Applicant believes that Claim 1, as amended, is now in condition for allowance and such allowance by the Examiner is respectfully requested. Further, since claims 2-20 find there dependency back to Claim it is believed they too are in condition for allowance.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412)380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

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